

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:20-CV-333-FDW-DCK**

PUFF CORPORATION,

Plaintiff,

v.

KANDYPENS, INC.,


Defendant.

ORDER

THIS MATTER IS BEFORE THE COURT on “Plaintiff’s Alternative Motion For Jurisdiction Discovery” (Document No. 32) filed August 20, 2020. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and is ripe for review. Having carefully considered the motion and the record, the undersigned will deny the motion.

The undersigned observes that the Honorable Frank D. Whitney issued an “Order” (Document No. 45) on November 13, 2020, directing that Defendant’s “Renewed Motion To Transfer Venue” (Document No. 26) be granted, and this matter be transferred to the United States District Court for the Central District of California. See (Document No. 45, pp. 1, 3-5, 11). Judge Whitney determined that a related action is pending in California and that application of “the first-filed rule” and transfer to the Central District of California is appropriate. Id.

IT IS, THEREFORE, ORDERED that “Plaintiff’s Alternative Motion For Jurisdiction Discovery” (Document No. 32) is **DENIED AS MOOT**.



David C. Keesler
United States Magistrate Judge

